

**COUNCIL OF THE BOROUGH OF WEST MIFFLIN** met in regular session in the Municipal Building Council Chambers on Tuesday, March 17, 2009 at 6:30 p.m. prevailing time with President William Welsh presiding.

<b>ROLL CALL:</b>	Falce	Present	Olasz	Present
	Jabbour	Present	Popovich	Absent
	Munsie	Present	Stephenson	Present
			Welsh	Present

Six members present, absent one (Popovich). Mayor Andzelik present.

**CITIZENS COMMENTS ON AGENDA ITEMS:**

**Richard D. Olasz** of 105 Fifth Avenue said he would be directing his questions to Councilman Olasz when he takes his seat and he could respond. Mr. Welsh stated that Mr. Olasz is out of order and requested that Mr. Olasz take his seat. Mr. Welsh stated that Citizens Comments would be heard at the end of the meeting.

**APPROVAL OF MINUTES:**

**Motion** by Falce, seconded by Jabbour that the Minutes of the December 16, 2008, January 20, 2009 and February 17, 2009 Council Meetings be approved. Under remarks, Mr. Olasz said the Minutes are incorrect. Roll Call: Five ayes, no nays, one no response (Olasz), one absent (Popovich). Motion carried.

**PAYMENT OF BILLS:**

**Motion** by Munsie, seconded by Falce that all bills properly approved by the Finance Committee for February and March 2009 be paid. Under remarks, Mr. Olasz stated that he wants to see Mr. Adams bills. Roll Call: Five ayes, no nays, one no response (Olasz), one absent (Popovich). Motion carried.

**AGENDA ITEMS:**

**A. RESOLUTION OF THE BOROUGH OF WEST MIFFLIN, ALLEGHENY COUNTY, PENNSYLVANIA, AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION FOR THE ALLEGHENY COUNTY ECONOMIC DEVELOPMENT – COMMUNITY INFRASTRUCTURE AND TOURISM FUND IN THE AMOUNT OF \$250,000 FOR THE WEBSTER AVENUE LANDSLIDE PROJECT.**

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**Motion** by Jabbour, seconded by Munsie the resolution be read. Motion carried. Mr. Bednar read the resolution. **Motion** by Jabbour, seconded by Falce the resolution be adopted. Under remarks, Mr. Stephenson questioned whether a time frame on the decision as to whether the Borough would receive the grant could be projected. Mr. Bednar replied that the application would be submitted early the following week and that Senator Costa said he would urge the board to expedite the process. Mr. Bednar explained that once it is processed it would have to go out for bid. **Motion** by Olasz to suspend the Rules of Conduct for Legislative Meetings for the purpose of a recess to have the Borough Manager copy the grant

application. Motion died due to lack of second. Roll Call: Five ayes, no nays, one no response (Olasz), one absent (Popovich). Motion carried. Resolution given No. 1196.

**B. Motion** by Jabbour, seconded by Falce exonerating Real Estate Tax Collector Richard A. Allen for uncollected 2008 Borough Real Estate Taxes in the amount of \$424,922.96 as per his report dated January 15, 2009. Roll Call: Five ayes, no nays, one present (Olasz), one absent (Popovich). Motion carried.

**C. Motion** by Jabbour, seconded by Falce to accept the resignation of John W. Pugh from the West Mifflin Borough Civil Service Commission effective immediately. Roll Call: Six ayes, no nays, one absent (Popovich). Motion carried.

**D. Motion** by Falce, seconded by Munsie to ratify the Mayor's Proclamation of Disaster Emergency as Proclaimed for the period beginning Wednesday, February 11, 2009 at 7:30 p.m. in regards to the high winds and rain affecting West Mifflin Borough. Under remarks, Mr. Olasz questioned whether there was any extra time incurred by the Police Department or Public Works. Mayor Andzelik and Mr. Hess both replied that it was very minimal. Mayor Andzelik said that the Proclamation was a precautionary measure. Roll Call: Six ayes, no nays, one absent (Popovich). Motion carried.

**E. Motion** by Falce, seconded by Munsie approving the site plan for the self storage buildings to be located on Lebanon Road (State Route 885) Lot & Block 244-A-85 based on

the recommendation of the Planning Commission and with modifications to the fire hydrant and KNOX Box regulations as permitted by Section 512.1 of the Pennsylvania Municipalities Planning Code and with the following conditions:

1. No vehicles, boats or other items will be stored outside at any time.
2. Receipt of a letter from J.R. Gales & Associates regarding storm water plans for building and addition of a storm water detention infrastructure to the site plan.
3. Receipt of a letter from Penn DOT indicating that the new use is comparable to the existing driveway cut to be used for this development.
4. Inclusion of one (1) storage unit and parking space for said unit, which are both handicapped accessible and clearly marked as such.
5. Performance of a compaction test and receipt of written results by the Borough.
6. Stipulate to tenants that no hazardous materials, or illegal items such as dangerous drugs/narcotics, are to be stored at the Self Storage Facility.
7. Inclusion of guardrail along the back portion of the property.

Under remarks, Mr. Olasz questioned whether Mr. Anthony is in accordance with the way the plans were presented. Mr. Anthony stated that everything is satisfactory. Roll Call: Six ayes, no nays, one absent (Popovich). Motion carried.

**F. Motion** by Jabbour, seconded by Falce to appoint William Bennett, Jr. to the vacant position on the Civil Service Commission with the term to run through January 23, 2013. Roll Call: Six ayes, no nays, one absent (Popovich).

**G. Motion** by Munsie, seconded by Falce approving the lease agreement with S.A.I.C. for rental space in the Borough Building. Term to run from March 1, 2009 through April 31, 2010. (2,500 sq. ft. @ \$18.00 per sq. ft.) Under remarks, Mr. Olasz asked for a comparison of their previous lease. Mr. Bednar stated that they were paying \$17.50 per square foot. Roll Call: Six ayes, no nays, one absent (Popovich). Motion carried.

**H. Motion** by Munsie, seconded by Falce approving the Family & Medical Leave Act request from Borough Employee #651. Roll Call: Six ayes, no nays, one absent (Popovich). Motion carried.

**I. Motion** by Munsie, seconded by Falce authorizing the Civil Service Commission to create an eligibility list for the position of Patrol Officer with a starting rate of 55% of the Patrolman hourly wage rate. Roll Call: Six ayes, no nays, one absent (Popovich). Motion carried.

**J. Motion** by Munsie, seconded by Falce authorizing the purchase through a “piggy-back” on the SHACOG Purchasing Alliance, one (1) 2009 Ford F-550 XL Chassis with a Thiele Deluxe Chor-Boy, Aluminum Dump Body with a stainless steel UTG Spreader (installed) and eight foot six inch Western Pro Plug Steel plow with hitch and lights (installed) at a cost of \$62,499 with payment from the Capital Projects Fund. Under remarks, Mr. Olasz questioned what the impact is on the fund. Ms Finnegan stated that \$456,740 of the Capital Funds Budget has been designated for public works purchases and that this is the first purchase of 2009. She also stated that this purchase was budgeted for \$66,740 and the actual cost is under the budgeted amount. Roll Call: Six ayes, no nays, one absent (Popovich). Motion carried.

**K. Motion** by Falce, seconded by Munsie accepting a Commonwealth of Pennsylvania Community & Employment Program Grant in the amount of \$110,000 through the office of State Representative Bill Kortz for improvements to the traffic signals at Lebanon Church Road and Pittsburgh-McKeesport Boulevard. Roll Call: Six ayes, no nays, one absent (Popovich). Motion carried.

**DEPARTMENTAL REPORTS:**

**Building Inspection..... Walter B. Anthony**

Mr. Anthony read the Building Inspector’s Report for the month of February 2009.

Mr. Olasz questioned the status of demolishing a property on Greensprings Avenue. Mr. Anthony stated that it has been submitted to the Steel Valley Council of Governments and they have put it out for bid.

**Finance..... Virginia Finnegan**

Ms. Finnegan read the Finance Report for the month of February 2009.

Mr. Olasz stated that he is concerned that the revenue projections are on target with the budget and he said that it is his opinion that the budget should have been reopened. Ms. Finnegan stated that the 2009 Budget allowed for decreases in revenue.

**Police..... Joseph Popovich**

Sergeant Williams read the Police Department Report for the month of February 2009.

**Public Works..... James Hess**

Mr. Hess read the Public Works Department Report for the month of February 2009.

**REPORT OF THE MAYOR:**

Mayor Andzelik reported that the West Mifflin Youth Bowling League will be sponsoring a Make-A-Wish fund raiser on Sunday, March 22<sup>nd</sup> at the Coral Lanes Bowling League on Homestead Duquesne Road beginning at 12:00 noon.

Mayor Andzelik reported that the Locust Grove Senior Community is having an Easter Egg Hunt on Saturday, April 11<sup>th</sup> beginning at 10:00 a.m. for children ages 2 to 8 years old.

Mayor Andzelik thanked Carnival Beverage, Whitaker Tire, Representative Kortz, Senator Costa, Wal-Mart, Century III Chevrolet, Dean Honda, Sturman-Larkin Ford and Century Heritage Federal Credit Union for the donations for the Christmas Decorating Plaques. He also said that cookies and beverages were donated by Giant Eagle at Kennywood Mall.

Mayor Andzelik reported that a meeting would take place in several weeks to begin making plans for the annual Crime Watch Parade/Community Day. He said that anyone interested in becoming involved should contact him.

**REPORT OF THE SOLICITOR:**

No report.

Mr. Olasz stated that he has sent two certified letters requesting information he is entitled to under the Right to Know Law and has not received the information. Mr. Adams replied that he is requesting bills from the Olasz vs. Welsh case and that he is not entitled to them.

**REPORT OF THE ENGINEER:**

No report.

**REPORT OF THE MANAGER:**

No report.

**CITIZENS COMMENTS ON AGENDA ITEMS:**

**Diane Stanesic** of 2803 Glenny Lane Extension approached the podium, however she was unable to speak due to disruptions and therefore Mr. Welsh called for a motion to adjourn.

**ADJOURNMENT:**

**Motion** by Jabbour, seconded by Falce that the meeting be adjourned. Meeting adjourned at 7:15 p.m. prevailing time.